

REPORTER

Serving Cibola, Sandoval, and Valencia Counties



Ojito Wilderness, by Amy Lopez Dooling

Winter Dec, 2017-Feb, 2018



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Martinez Message



As your District Attorney, I hope this new year brings hope, peace and prosperity.

District Attorney's offices statewide have had to do more with less over the years, such as budgets reduced, increasing employee turnover and increasing criminal case load. Due to past budget cuts my office is hard pressed to hire experienced attorneys to handle high profile cases. The budget only allows for my office to hire less experienced attorneys. Once an attorney is trained and has the experience they leave for higher paying agencies or companies. My office does not have the budget to offer competitive compensation.

District Attorney's Offices with a smaller budget cannot afford to pay the experienced attorney to stay. These districts have high profile cases too. The 13th falls into this cycle of experienced attorneys moving to neighboring district attorney's offices for higher pay.

My district offers experience in the courtroom and cross training. Attorneys are able to move from magistrate court to district court fairly quickly. As the District Attorney for the 13th, there is a need to offer competitive compensation to retain the attorneys and staff for the safety of our community.

Districtwide, the 13th has 18 murder cases going to trial within the next 12 months. Cibola County Office is prosecuting the Aggressive Christianity Missions Training Corps Cult for CSP of a minor, Sandoval County Office has a

juvenile case involving a murder at a park. Valencia has several cases of CSP of a Minor. My concern is retention of attorneys and staff to provide justice for the victims of these crimes.

I thank the legislators for their hard work at the session this year and the increase in the budget. Although, the 13th received an increase, it falls short of filling vacancies and the opportunity to offer competitive compensation.

I appreciate the hard work everyone at the 13th is doing. You have stepped up to take on additional duties and responsibilities. Thank you for your commitment to working on behalf of the community and making it a safer place to live and raise a family.

I will continue my efforts in speaking to community organizations who wish to learn more about on-going concerns in the community. To make arrangements for me to speak at your organization please contact: Yvette Gurule at YGurule@da.state.nm.us or call 505-771-7414.

Ojito Wilderness, by Amy Lopez Dooling



Legal Brief:



FURRY CHAMPIONS OF TRUTH

The criminal justice system is increasingly coming to recognize what pet owners have known for centuries—that animals—particularly well trained dogs—can be a tremendous source of comfort for their human companions. Indeed they have long been used as therapy dogs for traumatized individuals. So it should come as no surprise that dogs are increasingly being accepted by courts to accompany victims in court.

New Mexico, like many states, has long recognized and allowed the use of “comfort items” or support persons to accompany young children when they testify in court. *See e.g. State v. Marquez* 124 N.M. 409 (Ct App. 1997). Allowing a dog to accompany a child during testimony however is a relatively recent phenomenon and has not yet been accepted or allowed in all courtrooms. This decision is within the discretion of the individual judge. In New Mexico, both magistrate and district court judges throughout the state have allowed the use of a dog in court, including Cibola County District Judge Pedro Rael. Judge Rael had agreed to allow Lucy (a trained facility dog) to accompany a young sexual abuse victim during her trial testimony. She did so well during her pre-trial interview in fact, also accompanied by Lucy, that the defendant took a plea to avoid trial and what would no doubt have been damning testimony from the child.

The rationale underlying the use of comfort items—including dogs—to assist vulnerable victims and witnesses stems from the judges’ responsibility to facilitate the truth-finding process *See NMRA 11-611*. Young victims who have been traumatized often cannot fully and accurately tell their story due to the frightening nature of having to talk to strangers and often in front of their abuser. These dogs have an immediate calming effect on the children and gives them courage to give their testimony. The dogs are trained to lie still at the feet of the witnesses—ideally outside the presence of the jury—for long periods of time, so they will not be a distraction.

Although not all judges are ready to allow facility dogs inside their courtrooms, these dogs are still tremendously useful both during pre-trial interviews as well as in the waiting areas where the child benefits from the dog’s calming presence in anticipation of testifying as well as bolstering her courage to testify—knowing that this furry companion is waiting to reassure her after the ordeal of testifying.



Ms. Lucy
aka
grandma



Barbara Romo
Sandoval County DDA



High Profile

Cibola County:



State v. Frank Gutierrez; Convicted of 3 Counts of Criminal Sexual Contact in the 2nd Degree (Child under 13); counts shall run consecutive for a total sentence of 45 years, with a 30 year cap at initial sentencing, Pending Sentencing, Prosecutors: Brandon Vigil and Mandana Shoushtari.

State v. Joseph Edaakie; Guilty by Jury of Aggravated Burglary (Deadly Weapon); Robbery; Conspiracy to Commit Armed Robbery; & Larceny of a Firearm. Defendant is facing up to 20 ½ years prison at sentencing, Prosecutors Brandon Vigil and Mandana Shoushtari.

State v. Jonathan Ortiz; Convicted of Kidnapping; Armed Robbery; Aggravated Burglary (Deadly Weapon); Retaliation Against a Witness; & Possession of a Deadly Weapon by a Prisoner; Defendant was sentenced to 27 years prison, with 15 years actual incarceration. Prosecutor Brandon Vigil.

State v. David Olveda; Convicted of Aggravated Burglary (Deadly Weapon); Battery upon a Peace Officer X 2; and Assault Upon a Peace Officer X 2. Defendant was sentenced to 22 years of actual incarceration, which included an 8-year Habitual Offender enhancement, Prosecutor Brandon Vigil.

State v. Mauricio Cuevas; Defendant-Youthful Offender was convicted of Armed Robbery & Aggravated Battery (Deadly Weapon). At the Amenability Hearing, Defendant was found not to be amendable to treatment as a juvenile, and was ordered to be sentenced as an adult. Defendant is facing up to 12 years of incarceration at Sentencing, Prosecutor Brandon Vigil.

State v. Michael Valencia; Grand Jury Indictment 1st Degree Murder; Possession of a Firearm by a Felon; Tampering with Evidence; & Battery Upon a Peace Officer. Defendant is being detained without bail pending trial, Prosecutors Brandon Vigil and Mandana Shoushtari.

State v. Zachary Asher; Defendant is charged with 1st Degree Murder; Kidnapping; Tampering with Evidence; & Possession of a Firearm by a Felon. Pending Grand Jury, Prosecutor Brandon Vigil.

State v. Miranda Fernandez; Convicted of Residential Burglary x 2; Transferring a Stolen Vehicle x 3; Possession of Controlled Substance x 2; & Larceny of a Firearm; Defendant is facing a 15 year sentence with a 10-year cap at initial sentencing, Prosecutor Brandon Vigil.

State v. Michael Sherwood; Convicted of Kidnapping; Armed Robbery; Aggravated Fleeing; Possession of a Stolen Vehicle; & Theft of a Credit Card. Sentenced to 21 ½ years with 8 years mandatory incarceration. Mandana Shoushtari prosecuting.

State v. Isaac Griego-Lopez; Convicted of Robbery; Breaking & Entering; Aggravated Fleeing; & Assault Upon a Peace Officer x 2. Defendant is facing 4 to 12 years of incarceration at Sentencing, Prosecutor Brandon Vigil.

High Profile



Cibola County Continued:

State v. Shawnessy Martinez; Convicted of Aggravated Battery (Peace Officer); Aggravated Assault (Peace Officer); Aggravated Fleeing; Possession of Stolen Vehicle; & Criminal Damage. Defendant is facing up to 9 years of incarceration at sentencing, Prosecutor Mandana Shoushtari.

State v. Michelle Jensen; Summary Affirmance by the Court of Appeals. Guilty by Jury of 3 counts of Child Abuse & 1 count of Failure to Report Child Abuse. Defendant sentenced to 9 years prison, with 4 ½ years suspended, Prosecutors Brandon Vigil and Mandana Shoushtari.

State v. Rudy Valencia; Grand Jury Indictment: 1st Degree Murder & Tampering with Evidence, Prosecutors Brandon Vigil, Sue McLean and Eric Pacheco.

State v. Ruben Romero; Guilty by Jury of 2nd Degree Murder with a firearm enhancement. Pending Amenability Hearing. Brandon Vigil and Erik Pacheco Prosecuting.

State v. Deborah Green; Grand Jury Indictment: 2 counts of 1st Degree Kidnapping; 4 counts of Criminal Sexual Penetration in the First Degree (Child Under 13); 5 counts of Child Abuse (No GBH); 2 counts of Child Abuse Resulting in Great Bodily Harm; 1 count of Child Abuse Resulting in Death; 3 counts of Tampering with Evidence, Prosecutors Brandon Vigil and Mandana Shoushtari.

State v. James Green; Grand Jury Indictment: 1st Degree Kidnapping; Child Abuse Resulting in Great Bodily Harm; Child Abuse Resulting in Death; Tampering with Evidence; Failure to Register Birth; Conspiracy; & Obstructing Investigation of Child Abuse, Prosecutors Brandon Vigil & Mandana Shoushtari.

State v. Peter Green; Grand Jury Indictment: Criminal Sexual Penetration in the First Degree (Child Under 13); Criminal Sexual Contact in the Second Degree (Child Under 13), Prosecutors Brandon Vigil and Mandana Shoushtari.

State v. Stacy Miller; Grand Jury Indictment: Child Abuse Resulting in Death; Child Abuse Resulting in Great Bodily Harm; Intimidation of Witness; Extortion, Prosecutors Brandon Vigil and Mandana Shoushtari.

Register for the 8th Annual Drugs, Gangs and Prosecution Conference

August 2nd and August 3rd, 2018

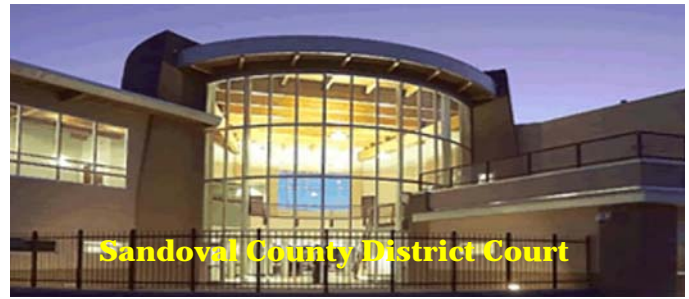
NMSU-Grants Campus

<https://www.eventbrite.com/e/8th-annual-drug-gang-prosecution-conference-tickets-41838236291>

Law Enforcement and Attorney credit hours

For additional information contact: CPadilla@da.state.nm.us

High Profile



Sandoval County:

State v. Joseph Vargas; 2nd degree homicide, Aggravated Battery (GBH), Tampering with Evidence x's 4; Defendant has been held on a no bond detention; case pending trial in June, 2018, Prosecutors: ADA Andoni Garrote and Amy Lopez Dooling.

State v. Robert Jimenez; Aggravated Battery Deadly Weapon, Attempted Robbery, Shooting at or from a Motor Vehicle (GBH), Assault with the Intent to Commit a Felony, Tampering with Evidence, Bribery of a Witness (Threats or Bribes-Reporting); Case pending Sentencing; Prosecutors: Andoni Garrote and Mathew Wadsworth.

State v. Michael Candelaria; Aggravated Battery Deadly Weapon, Attempted Robbery, Shooting at or from a Motor Vehicle (GBH), Assault with the Intent to Commit a Felony, Tampering with Evidence, Bribery of a Witness (Threats or Bribes-Reporting); Case pending Trial, Prosecutors: ADA Andoni Garrote and Mathew Wadsworth.

State v. Lonnie R. Snyder; Grand Jury Indictment 2nd degree Murder, trial set for May 18, 2018, Prosecutors: Amy Lopez Dooling and Mathew Wadsworth.

State v. Luke Griffin; Homicide by Vehicle (DUI) and two counts GBH by vehicle (DUI), pled guilty to Homicide by Vehicle and two counts GBH by vehicle, consecutive, 21 year sentence, 12 years suspended, D sentenced to DOC for 9 years followed by 5 years supervised probation, Prosecutors Mathew Wadsworth and Amy Lopez Dooling.

State v. Thomas Goodridge; Grand Jury Indictment Murder in the First Degree, set for docket call on April 12, 2018, with trial in May 2018, Prosecutors Mathew Wadsworth and Andoni Garrote.

State v. Jacob and Liam Johnson; Grand Jury Indictment Murder in the First Degree, Conspiracy, and Tampering with evidence, Jacob Johnson set for trial on June 11, 2018 and Liam Johnson set for trial on July 20, 2018, Prosecutors Mathew Wadsworth and Jessica Martinez.

State v. Kimsey Barboan; Grand Jury Indictment Murder in the Second Degree, arraignment on March 5, 2018, Prosecutors Mathew Wadsworth and Amy Lopez Dooling.

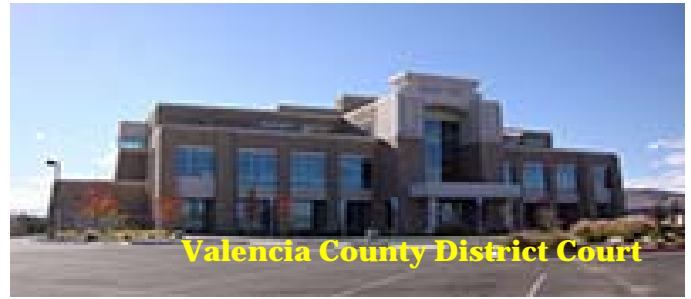
State v. Randy Narvaiz, Taylor Chavez, James Gallegos, & Cesar Trevizo; First Degree Kidnap-ping, Armed Robbery, Aggravated Burglary, and related charges for a September 2017 home invasion. All defendants except Chavez are being held without bond. All trials set in May, Prosecutors Mathew Wadsworth and Amy Lopez Dooling.

State v. Gordan Schuler; Burglary x's 2, Possession of Burglary Tools, Pending Preliminary Hearing, Prosecutor Andoni Garrote.

State v. Alberto Rodriguez; Grand Jury Indictment First Degree Murder x3, Kidnapping in the first degree x 3, Tampering with Evidence, Extreme Cruelty to Animals, Receiving or Transferring Stolen Motor Vehicles, pending jury trial, Prosecutors Jessica Martinez and Barbara Romo.

State v. Justin Johnson; Grand Jury Indictment Murder in the First Degree, Kidnapping (first degree) (Intent to Commit Sex Offense), Receiving stolen property (receive) over \$2,500 but not more than \$20,000, Arson pending jury trial, Prosecutors Barbara Romo and Jessica Martinez.

High Profile



Valencia County:

State v. Michael Laws; Grand Jury Indictment Criminal Sexual Penetration in the third Degree, pending Jury Trial, Prosecutor Frank Baca.

State v. Brandon Villalobos; Grand Jury Indictment, Murder in the first degree, pending Jury Trial, Prosecutor Alisha Maestas.

State v. John Jack McDowell; Grand Jury Indictment, Murder in the first degree felony murder) pending Jury Trial, Prosecutor Alisha Maestas.

State v. Anthony M. Crofutt; Grand Jury Indictment, Murder in the first degree (willful & deliberate) Pending Sentencing, Prosecutor Aaron Baca.

State v. Steven Carrasco; Grand Jury Indictment, Kidnapping (first degree) (NO intent to Commit Sex Offense), Pending Jury Trial, Prosecutor Donald Sears Jr.

State v. Phillip Chavira Jr; Pleas to 2nd degree Murder in the accessory, attempt to commit armed robbery, 2 firearm enhancements, Sentenced 15 years, Prosecutor Josh Jimenez.

State v. Tony Gallegos; Grand Jury Indictment, Murder in the first degree (willful & deliberate) x2, Armed Robbery x2, Pending Jury Trial, Prosecutors Alisha Maestas and Frank Baca.

State v. Cody Cruz; Grand Jury Indictment, Murder in the first degree (willful & deliberate), Armed Robbery, Pending Jury Trial, Prosecutor Alisha Maestas.

State v. Zachariah Alexander Pagano; Grand Jury Indictment, Kidnapping (first degree) (NO intent to Commit Sex Offense)x2, Armed Robbery, Aggravated assault (deadly weapon) x7, Pending Jury Trial, Prosecutor Alisha Maestas.

State v. Jacob Duran; Grand Jury Indictment, Murder in the first degree (willful and deliberate)-attempt, Pending Jury Trial, Prosecutor Alisha Maestas.

State v. Patrick Mondragon; Grand Jury Indictment, (2SA) Criminal Sexual Penetration (2nd degree) (Child 13-18) (Force or Coercion) Pending Jury Trial, Prosecutor Fran Baca.

State v. Israel Treadwell; Grand Jury Indictment, Murder in the first degree (willful and deliberate) Pending Jury Trial, Prosecutor Alisha Maestas.

State v. Emily Montoya; Guilty by Jury of Battery Upon a Peace Officer; Resisting, Evading, Obstructing an Officer; & Criminal Damage to Property, Pending Sentencing, Defendant is facing up to 3 years of incarceration, and the loss of her law enforcement certification and ability to run for public office, Prosecutors Brandon Vigil and Mandana Shoushtari.

District News: Welcome Charlie

Hi everyone,

My name is Charlie. I'm a Golden Doodle. I am in training to become a Courthouse facility K9. Many of you have met my Grandma Lucy. She is a Courthouse facility K9. She works with everyone at the 13th. My uncle is Kasey. Kasey works with "Kasey Says" in the local schools. You see I come from a long line of law enforcement K9's.

My handler (aka mom) is Yvette Gurule. I live with her and go to work with her. My favorite place to sleep is under mom's desk. I'm such a good boy I get treats. I have lots of toys and lots of friends like Mr. Martinez and Barbara Romo.

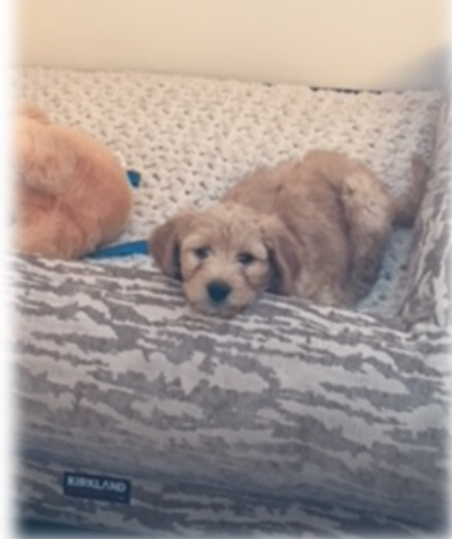
I met my vet, Dr. Abernathy. He works at Sunrise Veterinary Clinic in Rio Rancho. He is very nice except for the shot thing.

I started puppy training classes on February 27 with K9 Rehab Institute in Rio Rancho. My trainer is Tracy. She is one of the best! I like training and I get more treats.

I have a very important job to learn comforting children crime victims. I look forward to meeting you,

Charlie

My bed & toys



First day at school



My friends



The 13th Judicial District Attorney's Office says
Thank You and We Greatly Appreciate
Beneficial Farms & Colleen
505-470-1969
WWW.BeneficialFarms.Com
for your generous donation

Charlie

District News: Shout Out!



K9 Rehab Institute

909 36th St SE, Rio Rancho 505-480-1973

Thank you for providing puppy training
and courthouse K9 training
for Charlie

Welcome to the 13th

New Employees:

Adrian Chavez, Clerk, Sandoval
Aaron Gonzales, Clerk, Sandoval
Philip Holmes, Investigator, Valencia
Erika Lowe, ADA, Valencia
Alisha Maestas, ADA, Valencia
Audrey Saavedra, Clerk, Valencia
Allison Warren, ADA, Valencia
Gloria Whitaker, Clerk, Sandoval

Pre-Prosecution Diversion Program:

2017 was a very fruitful year for the PPD program. We were able to collect over 100 jackets for the children in Sandoval, Valencia & Cibola. The jackets were delivered to Belen Municipal Schools, Roberta's Place in Grants and to various Churches in Bernalillo. This year we plan to continue our efforts with the help of the PPD clients. We will be collecting food, jackets and backpacks for families in need.



Roberta's Place
Grants NM



Cibola Family Services



Belen Municipal Schools

Thank you,

Michael Tapia,
PPD Program Administrator
13th Judicial District Attorney's Office

505-771-7455
MTapia@da.state.nm.us

